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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/594,743	09/29/2006	Yosuke Ando	01165.0965	4935
22852	7590	08/10/2009		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER SWINNEY, JENNIFER B	
			ART UNIT	PAPER NUMBER
			3724	
			MAIL DATE	DELIVERY MODE
			08/10/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/594,743

Applicant(s)

ANDO ET AL.

Examiner

JENNIFER SWINNEY

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 09225702 to Tajima in view of US Patent No. 5,186,567 to Evenson et al. (Evenson).

In Re to Claims 1 and 18, Tajima teaches a teaches a material guide device (Fig. 4), a guide bush (Fig. 4, 17), a material introducing end and a material lead out end (Fig. 5, 34 and end opposing 34), a hollow tubular material support section (Fig. 4) elastically displaceable in a radial direction about an axis (section 31 is elastically displaceable), a carrying member (Figs. 4, 16), a front face (Fig. 4) disposed around a material lead out, a pressing member (Fig. 4) disposed near the front face of the carrying member and the pressing member causing an elastic displacement (Fig. 5).

In Re to Claim 4, a guide bush (Fig. 4, 17) is secured relative to a carrying member in a direction along a guiding axis (Fig. 4).

In Re to Claims 8 and 10, a guide bush (Fig. 4, 17) is secured relative to a carrying member (Fig. 4, 16) in a rotational direction about an axis (Fig. 4).

In Re to Claim 12, a guide bush (Fig. 4, 17) is secured relative to a pressing member (Fig. 4) in a rotational direction about a guiding axis (Fig. 4).

In Re to Claim 13, an anchoring member (Abstract) capable of inhibiting a motion.

In Re to Claim 14, a fitting portion (Fig. 4) is provided between a carrying member and a pressing member capable of holding a carrying member and a pressing member in a coaxial arrangement relative to each other (Fig. 4).

In Re to Claim 15, a fitting portion is provided between a carrying member and a guide bush (Fig. 4) capable of holding a carrying member and a guide bush in a coaxial arrangement.

In Re to Claim 16, a fitting portion is provided between a pressing member and a guide bush (Fig. 4) capable of holding a pressing member and a guide bush in a coaxial arrangement.

In Re to Claims 17 and 19, a material guide device is installed in proximity to a working location of machining an objective material (Figs. 4,6).

Tajima does not teach, an adjusting mechanism capable of adjusting a radial dimension of a material support section of a guide bush, a pressing member moveable relative to the carrying member and able to make a relative linear motion along a guiding axis relative to a guide bush, in a radial direction on a material support section by relative linear motion, a feed screw structure causing relative linear motion between a pressing member and a guide bush by a mutual screwing motion of threads, a manipulation section disposed near a front face of the carrying member at a position remote from a material introducing end of a guide bush, capable of manipulate a feed screw structure to cause motion, a feed screw structure is between a carrying member

and a pressing member, a carrying member has an internal thread, a pressing member has an external thread adapted to be screw on an internal thread to constitute a feed screw structure, a carrying member has an external thread, a pressing member has an internal thread adapted to be screw on an external thread to constitute a feed screw structure, a manipulating member disposed near a front face of a carrying member and adjacent to a pressing member, a feed screw structure is provided between a carrying member and a manipulating member, a feed screw structure is provided between a pressing member and a guide bush.

Evenson teaches in the art of threaded adjustable members, an adjusting mechanism (Fig. 3), a member (Fig. 3, 30) moveable relative to another member (Fig. 3, 48) and able to make a relative linear motion along a guiding axis (Fig. 3) in a radial direction, a feed screw structure (Fig. 3, threads of 31 engage threads of 48) causing relative linear motion, a manipulation section (Fig. 3) capable of manipulate a feed screw structure to cause motion (Fig. 3), a member has an internal thread (Fig. 3, 30), a member (Fig. 3, 48) has an external thread (Fig. 3) adapted to be screw on an internal thread to constitute a feed screw structure (Fig. 3), an anchoring member capable of inhibiting a screwing motion of a feed screw structure.

Examiner notes, threads are old and well known mechanical structures utilized to facilitate movement between two corresponding devices. Threads also provide a locking means, when the structures are immobile increasing the safety of the device. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention

to provide the pressing and carrying member of Tajima with threads in order to facilitate longitudinal axial movement to adjust a workpiece during a machining process.

Response to Arguments

3. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent No. 4413539, JP 07328805, US Patent No. 5662014, and US Patent Application No. 20030057662.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JENNIFER SWINNEY whose telephone number is (571) 270-5843. The examiner can normally be reached on Monday-Friday, 7:30 am-5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jason Daniel Prone/
Primary Examiner, Art Unit 3724

/JS/